

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )  
                               )  
OSCAR MARTINEZ-CASTRO, )  
                               )  
Defendant.                 )  
                               )

8:12CR296

ORDER

This matter is before the court on the defendant's motion to continue trial [22] due to an investigation into citizenship. For good cause shown,

**IT IS ORDERED** that the motion to continue trial is granted, as follows:

1. The jury trial now set for November 27, 2012 is continued to **January 29, 2013**.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 29, 2013**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED November 16, 2012.

BY THE COURT:

**s/ F.A. Gossett**  
**United States Magistrate Judge**